

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	
DAVID DARNELL BROWN,)	Case No. 10-11399
)	Chapter 13
Debtor.)	Judge Paine

**AGREED ORDER CONVERTING CASE TO A CASE UNDER CHAPTER 11
RESOLVING OBJECTIONS OF THE U.S. TRUSTEE AND MAURICE KARR
AND ORDERING THE APPOINTMENT OF A CHAPTER 11 TRUSTEE**

This matter came before the Court on January 3, 2011, as a result of objections by the U.S. Trustee and creditor, Maurice Karr, to Debtor's Motion to Convert Case From Chapter 13 to Chapter 11 (the "Objections"). The U.S. Trustee, Counsel for Maurice Karr and Debtor's Counsel (the "Parties") agree and stipulate that it is in the best interest of creditors and all parties to appoint a Chapter 11 trustee upon the conversion of this case from a case under Chapter 13 to a case under Chapter 11 of the Bankruptcy Code. The Parties agree that the conversion should only be allowed if deadlines for complying with the provisions of 11 U.S.C. § 1116 and Rule 2015.3 are fixed by the Court. It appears to the Court, as evidenced by the signatures of counsel below, that the Parties agree to the entry of this Order on the following terms:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Objections are resolved based on the fact that Debtor agrees to the following:

1. The case shall be converted from a case under chapter 13 of the Bankruptcy code to a case under Chapter 11 of the Bankruptcy Code upon entry of this Order.
2. A Chapter 11 Trustee shall be appointed in this case and the U.S. Trustee is hereby directed to appoint a trustee in this proceeding pursuant to 11 U.S.C. § 1104.
3. The Debtor is a small business as defined in 11 U.S.C. § 101(51D) (a "Small Business") and must fully comply with all requirements of 11 U.S.C. § 1116 to effectuate the conversion from

chapter 13 to chapter 11 on or before **January 19, 2010**;

4. The Debtor controls or owns Mouth Full of Ice, Inc, Cashville Records, Inc., Casville Clothing, Inc., and A-Million Bucks Towing, Inc. The Debtor must comply with Rule 2015.3 and file his first "Periodic Report" on or before **January 31, 2011**, for each of the listed entities and any other entities where the estate controls or owns at least 20 percent interest, or substantially controls the entity regardless of ownership percentage.

5. The U.S. Trustee shall conduct and the Debtor shall attend an initial debtor's conference on **January 20, 2011 at 1:00pm CST, at the Office of the U.S. Trustee, 701 Broadway, Suite 318, Nashville, TN 37203**, the Debtor/Senior Management Personnel shall attend and be represented by counsel.

6. Debtor's failure to comply with any provision in paragraphs 3 through 5 above shall entitle the U.S. Trustee to file, without further notice or hearing by the Court, a Notice of Noncompliance and Order Converting Debtor's Chapter 11 Case to a case under Chapter 7 Pursuant to 11 U.S.C. § 1112(b).

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY
AS INDICATED AT THE TOP OF THE FIRST PAGE**

SUBMITTED FOR ENTRY:

DANIEL M. MCDERMOTT,
UNITED STATES TRUSTEE, REGION 8

/S/ CHARLES M WALKER
CHARLES M. WALKER (TN BPR #19884)
OFFICE OF US TRUSTEE
701 BROADWAY STE 318
NASHVILLE, TN 37203
Telephone: (615) 736-2254
Fax : (615)-736-2260
Email: charles.walker@usdoj.gov

DEBTOR'S COUNSEL:

/S/ LYNDA F JONES
LYNDA F JONES (TN Bar #14911)
THE JONES LAW GROUP PLLC
343 HARRISON STREET
NASHVILLE, TN 37219
Telephone: 615-983-4500
Fax : 615-983-4502
Email: lyndafjones@gmail.com

KARR'S COUNSEL:

/S/ STEVEN L LEFKOVITZ
STEVEN L. LEFKOVITZ, (TN Bar #05953)
LEFKOVITZ AND LEFKOVITZ
618 CHURCH STREET, SUITE 410
NASHVILLE, TN 37219
Telephone: (615) 256-8300
Fax: (615) 250-4926
Email: slefkovitz@lefkovitz.com